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Attorneys for Defendant
 FREESCALE SEMICONDUCTOR, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

MEDiatek INC.

Plaintiff,

v.

FREESCALE SEMICONDUCTOR, INC.

Defendant.

**Civil Action No. 4:11-cv-05341 (YGR)
 (JSC)**

**[PROPOSED] ORDER GRANTING
 ADDITIONAL JOINT STIPULATIONS
 FOR TRIAL PURPOSES**

Hon. Yvonne Gonzalez Rogers

1 The parties to this action—Plaintiff MediaTek, Inc. (“MediaTek”) and Defendant
 2 Freescale Semiconductor, Inc. (“Freescale”)—have stipulated to the matters listed in paragraphs 1
 3 through 36 below solely for purposes of trial in this action. The parties further stipulate and
 4 request that the matters listed in paragraphs 1 through 36 below shall be incorporated into the trial
 5 record, without the necessity of supporting testimony or exhibits, and that this Joint Stipulation
 6 may be provided to the jury. The parties respectfully ask the Court to approve these stipulations
 7 by signing the proposed Order set forth below.

Stipulated Matters

- 9 1. MediaTek is a semiconductor company. MediaTek was founded in 1997.
- 10 2. Freescale is a Delaware corporation with its principal place of business located in
 11 Austin, Texas.
- 12 3. Freescale is a former division of Motorola, Inc. (Motorola) and was spun off from
 13 Motorola in 2004.
- 14 4. On May 18, 2004, the United States Patent and Trademark Office (“Patent
 15 Office”) issued U.S. Patent No. 6,738,845 (the ’845 patent) to Analog Devices, Inc. (“Analog
 16 Devices”) as assignee of the ’845 patent.
- 17 5. On May 3, 2005, the Patent Office issued U.S. Patent No. 6,889,331 (the ’331
 18 patent) to Analog Devices as assignee of the ’331 patent.
- 19 6. MediaTek acquired the wireless division of Analog Devices in January 2008, and,
 20 as a part of that acquisition, acquired the ’845 and ’331 patents.
- 21 7. On July 11, 2000, the Patent Office issued U.S. Patent No. 6,088,753 (the ’753
 22 patent) to Fusion Micromedia Corporation (“Fusion,”) as assignee of the ’753 patent. In 2001,
 23 Fusion (a/k/a Sitera Incorporated) merged into Vitesse Semiconductor Corporation (“Vitesse”)
 24 and, as part of that merger, Vitesse acquired the ’753 patent.
- 25 8. MediaTek acquired certain assets of Vitesse in June 2009, and, as a part of that
 26 acquisition, acquired the ’753 patent.
- 27 9. MediaTek owns all right, title, and interest in the ’845, ’331, and ’753 patents.
- 28 10. The priority date for the ’845 patent is November 5, 1999.

1 11. The '845 patent names Rainer R. Hadwiger, Paul Krivacek, Joern Sorensen, and
2 Palle Birk as inventors.

3 12. The non-provisional application leading to the issuance of the '845 patent was
4 filed with the Patent Office on November 3, 2000.

5 13. The '845 patent claims priority to and incorporates by reference Provision
6 Application No. 60/163,816, filed November 5, 1999.

7 14. The priority date for the '331 patent is August 29, 2001.

8 15. The '331 patent names Joern Soerensen, Michael Allen, and Palle Birk as
9 inventors.

10 16. The non-provisional application leading to the issuance of the '331 patent was
11 filed with the Patent Office on August 29, 2002.

12 17. The '331 patent claims priority to and incorporates by reference Provisional
13 Application No. 60/315,655, filed August 29, 2001.

14 18. The priority date for the '753 patent is May 27, 1997.

15 19. The '753 patent names Stephen James Sheafor and James Yuan Wei as inventors.

16 20. The non-provisional application leading to the issuance of the '753 patent was
17 filed with the Patent Office on August 2, 1999. (Dkt. No. 394 at ¶ 57.)

18 21. The '753 patent claims priority to and incorporates by reference prior application
19 No. 08/863,875, which led to issuance of U.S. Patent No. 5,983,303 (the '303 patent).

20 22. The '753 patent is a division of the application that led to issuance of the '303
21 patent.

22 23. U.S. Patent No. 5,828,856 to Bowes et al. (Bowes856) was issued on October 27,
23 1998.

24 24. The non-provisional application leading to the issuance of Bowes856 was filed on
25 March 21, 1996.

26 25. U.S. Patent No. 5,546,547 to Bowes et al. (Bowes547) was issued on August 13,
27 1996.

28 26. The non-provisional application leading to the issuance of Bowes547 was filed on

1 January 28, 1994.

2 27. The article "Performance of Multiprocessor Interconnection Networks," by Laxmi
3 N. Bhuyan et al. ("Bhuyan reference"), was published by the IEEE in February 1989.

4 28. U.S. Patent No. 7,100,061 to Halepete et al. (Halepete) was issued on August 29,
5 2006.

6 29. The non-provisional application leading to Halepete was filed on January 18,
7 2000.

8 30. The Motorola MC88410 – Secondary Cache Controller User's Manual was
9 published by Motorola Inc. in 1992.

10 31. U.S. Patent No. 5,584,010 to Kawai et al. (Kawai) was issued on December 10,
11 1996.

12 32. The non-provisional application leading to Kawai was filed on December 19,
13 1994.

14 33. The damages period applicable to the '845 and '331 in this case runs from
15 November 3, 2011, to present.

16 34. The damages period applicable to the '753 patent in this case runs from
17 November 4, 2011, to present.

18 35. Freescale was licensed to the '845 and '331 patents between August 30, 2004, and
19 August 30, 2010, under a patent license agreement with Analog Devices.

20 36. Freescale's license under the '845 and '331 patents expired on August 30, 2010.

21 The parties make the foregoing stipulations for the limited purpose of simplifying the
22 issues for trial. See Fed. R. Civ. P. 16(c)(2)(A).

23
24 PURSUANT TO STIPULATION, IT IS SO ORDERED.

25
26 Dated: August 1, 2014

27
28 
United States District Judge
YVONNE GONZALEZ ROGERS

1 Dated: February 24, 2014

Respectfully submitted,

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5 James M. Dowd

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Attorneys for Plaintiff MEDiatek INC.

1 Dated: February 24, 2014

Respectfully submitted,

2 FREESCALE SEMICONDUCTOR, INC.

3 By its attorneys,

4 /s/ Alexander J. Hadjis

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18 Attorneys for Defendant-Counterclaimant
19 FREESCALE SEMICONDUCTOR, INC.

20
21 **ATTESTATION OF CONCURRENCE IN FILING**

22 Pursuant to the United States District Court for the Northern District of California's General Order
23 No. 45, Section X.B., I, Rudy Y. Kim, attest that concurrence in the filing of this document has been
24 obtained from James Dowd and Alexander J. Hadjis.

25 /s/ Rudy Y. Kim
26 Rudy Y. Kim
27
28